IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF TEXAS AMARILLO DIVISION

BRENT RAY BREWER,

Petitioner,

V.

CIVIL ACTION NO. 2:15-CV-50-J

CAPITAL HABEAS CORPUS

WILLIAM STEPHENS,
Director, Criminal Institutions
Division, Texas Department of
Criminal Justice,

Respondent.

UNOPPOSED MOTION FOR EXTENSION OF TIME TO FILE REPLY TO RESPONDENT'S ANSWER

Petitioner Brent Ray Brewer respectfully requests an additional four (4) days to file his Reply to Respondent's Answer. In support of this motion, Petitioner avers as follows:

On May 5, 2016, Respondent filed his Answer to Petitioner's Amended Petition for Writ of Habeas Corpus. ECF No. 40. On June 29, Petitioner filed a motion requesting an additional thirty (30) days to file his reply. ECF No. 43.

This Court granted that motion. ECF No. 44. Petitioner's reply is currently due on August 1.

Petitioner requests an additional four (4) days to file a reply. One of the attorneys assigned to Mr. Brewer's case suffered an unexpected death in the family earlier this week and has had to travel back to Texas for funeral services. As a result, the attorney has unfortunately been unable devote as much time to the reply as expected.

Petitioner understands this Court has noted that no further extensions would be granted unless exceptional circumstances are shown. ECF No. 44. However, Petitioner feels this situation meets that high bar. In light of the extraordinary circumstances, and the very short amount of time requested, Petitioner feels the requested extension is reasonable.

Undersigned counsel has discussed this request with counsel for Respondent, who have indicated they are not opposed.

WHEREFORE, Petitioner respectfully requests an additional four (4) days to file his Reply to Respondent's Answer.

/s/ Philip Alan Wischkaemper PHILIP ALAN WISCHKAEMPER Law Office of Philip Wischkaemper 915 Texas Avenue Lubbock, TX 79401 (806)763-9900 miglit@aol.com Texas State Bar #21802750 /s/ Peter Walker
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Respectfully submitted,

Dated: July 28, 2016

CERTIFICATE OF SERVICE

I hereby certify that on this date, I caused the foregoing to be served on the following person by ECF filing:

Erich Dryden
Assistant Attorney General
Office of the Attorney General of Texas
Post Office Box 12548
Austin, Texas 78711-2548

/s/ Peter Walker Peter Walker

Dated: July 28, 2016

CERTIFICATE OF CONFERENCE

I hereby certify that I have conferred with counsel for Respondent, Assistant Attorney General Erich Dryden, who indicated he does not oppose this request.

/s/ Peter Walker Peter Walker

Dated: July 28, 2016